THE LEADER OF THE OPPOSITION (DR. MANMOHAN SINGH): Mr. Chairman, Sir, I share the concern expressed by my hon. colleague. Time and again, it has been stated on behalf of the Government that the construction of Ram Temple at Ayodhya is not on the NDA Government's Agenda. The Parliament is in session, yet, the Prime Minister has used the sad occasion of a funeral to make his statement on a most contentious issue. We feel that the least the Prime Minister can do is to come before the House and tell us what exactly is it that he has in mind, what are the intentions of his Government, and what is it exactly that he had said on the occasion of the funeral.

संसदीय कार्य मंत्री (श्रीमती सुषमा स्वाराज): सभापति जी, प्रधान मंत्री का जो वक्तव्य कल छपा, उसका सही स्वरुप आज अखबारों में छप चुका है। मुझे नहीं लगता कि उसके बाद कोई प्रश्न बकाया रह गया है। प्रधान मंत्री से पूछे जाने की या यह मुद्दा उठाने की कोई बात है नहीं। लेकिन ...(**व्यवधान**)...

श्री सभापति: ठहरिए .....ठहरिए ....सुनिए तो सही, बीच में परेशान न करें।

श्रीमती सुषमा स्वराजः लेकिन चूंकि दो माननीय सदस्यों ने नेता प्रतिपक्ष के समेत यह सवाल इस सदन में उठाया है, तो मैं उन्हें कहना चाहूंगी कि आज ही अपने यहां ऑर्डर पेपर पर एक चर्चा ऐसी लगी हुई है जिसके संबंध में स्वयं प्रधान मंत्री इस सदन में चार बजे आने वाले हैं। जो कुछ उन्हें कहना होगा अपनी प्रतिक्रिया के रुप में, वे चार बजे इस संबंध में भी कह देंगे, जिस समय वे इस सदन में उस चर्चा के संदर्भ में आएंगे।

ORAL ANSWERS TO QUESTIONS

Rejection of food consignments

*201. SHRI PARMESHWAR KUMAR AGARWALLA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that United States and European Union have rejected large consignments of Indian food products;

(b) if so, the details thereof; and

(c) the action being taken by Government in this regard?

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY): (a) to (c) A Statement is laid on the Table of the House.

Statetment

(a) and (b) Instances of import rejection in U.S.A. and European Union on account of non conformity with the standards applicable in the importing countries have come to the notice of the Government in respect of fish and fish products, egg powder, spices, grapes and honey.

(c) Such cases are duly investigated and remedial measures taken, including action against errant exporters as appropriate and steps to ensure conformity with importing countries requirements.

श्री परमेश्वर कुमर अग्रवाला:आदरणीय सभापति जी, आपके माध्यम से मैं माननीय उद्योग एवं व्यापार मंत्री से जानना चाहता हूं कि क्या इस तरह के मामले पहले भी सरकार के ध्यान में आए हैं? यदि आए हैं तो ऐसे कितने मामले है?

श्री सभापति: यह तो आपने पूछा ही नहीं है। आपके क्वेश्चन में यह नहीं है कि पहले कितने मामले आए और अब कितने आ रहे हैं? आप तो अभी जो रिजेक्ट हुए हैं, उनके बारे में पूछ लीजिए।

श्री रमा शंकर कौशिक : श्रीमन् माननीय मंत्री जी ने अपने जवाब में कहा है कि हमारे ध्यान में आए हैं।

श्री सभापति: कई बार मंत्री जी भी हमारे लिए संकट खड़ा देते हैं ऐसा उत्तर देकर।

श्री प्रमेश्वर कुमार अग्रवाला: महोदय, मेरा दूसरा पूरक प्रश्न यह है कि क्या ये मामले मानकों की जानकारी के अभाव मे हुए हैं या अधिक मुनाफा कमाने की प्रवृति के कारण हुए हैं?

SHRI ARUN JAITLEY: Sir, the hon. Member has asked as to how many consignments of food prodcuts from India have been rejected by the United States and the European Union. Sir, I may mention that the causes for these rejections are primarily two. At times, there are certain countries which lay down their standards

which are not compatible with internationally acceptable standards, and, in fact, make them much stiffer in order to create a non-tariff barrier, as far as the food exports are concerned. The second reason why this happens is, some of the products that we are also sending do not, at times, measure up to the accepted international standards in that they may have some kind of residual material in them, which is not, otherwise, acceptable to those countries. Since the exports take place by private parties.there are a large number of cases which come to our notice, and each time it comes to our notice, the Government of India looks into this particular matter. And, if the standards are stiffer than what are acceptable standards, we take it up with the country concerned, and in case there is some supply which is of an inadequate quality, as far as Indian exporters are concrned, we start taking action against them. Sir, the task of tabulating all the consignments which have been rejected in the last two decades would be extremely difficult, but the reasons why this happens are primarily two, as I have indicated, either the quality is not good or the standards are stiffer than what is required.

श्री सभापति : आपको और क्वेश्चन पूछना है? आपको संतुष्ट हो जाना चाहिए था।

श्री परमेश्वर कुमार अग्रवाला: क्या सरकार ऐसी कोई मानसिकता रखती है कि जो फूड प्रोडक्ट बनाने वाले हैं उनको शिक्षित किया जाए ताकि भविष्य में इस तरह के रिजेक्शन न हों?

श्री अरुण जेटली: सर इसका प्रयास लगातार चलता रहता है। उनको केवल शिक्षित ही नहीं करना है बल्कि जिन कारणों से कई बार हमारे पदार्थ जो अन्तर्राष्ट्रीय मापदंड पर नहीं आ सकते, इसके हमें नोटिफिकेशन्स मिलते है कि क्या-क्या चीजें है जो उन फूड आइटम्स मे नहीं होनी चाहिए। सरकार, हम एपीडा के माध्यम से, एमपीडा के माध्यम से अपनी लेबोरेट्रीज भी सैट-अप करते हैं, जिससे टेंस्टिंग सुविधाएं भी इस देश के अंदर पर्याप्त प्रकार की हो पाएंगी।

SHRIMATI PREMA CARIAPPA: Sir, I would like to know from the hon. Minister whether the Government has developed any system to educate the exporters of agro products, including the farmers, to ensure export quality norms; if so, the details thereof. I would also like to know whether sufficient infrastructural facilities are provided to the exporters of agricultural produce.

SHRI ARUN JAITLEY: Sir, as I indicated in my reply to the earlier question, there is a continuous process of interaction with the exporters which goes on, and every time when the international standards are acceptable standards and our food exporters do not measure up to them, we find out the reasons; we not only try and interact with our firms, but firms which are deliberately not asking appropriate action; we, at times, even take action against them because they bring discredit to the entire food supply, as far as India is concerned. We also notify those requirements from time to time, for instance, in relation to fisheries, in relation to marine products, egg powder, honey saying, "these are all standards which we lay down from time to time; these are the residual articles which should not be present in those food items because there are certain countries which are sensitive about it."

SHRI VAYALAR RAVI: Sir, the marine products are more affected in this respect because, as you know, Sir, the FDA in the States as well as the European Union take decisions together. Usually the MPEDA and their counterparts in this country hold inter-State discussions. I would like to know from the hon. Minister, because these rejection are coming from Mexico or Latin American countries and there is a lot of political pressure also, will you ask the MPEDA as well as the APEDA, that is in respect of agricultural products, to have more and more regular interaction with the European Union Council as well as the FDA in the States? Only then, this problem would be solved. Sir, please confirm—I believe this is correct—that MPEDA is making efforts for educating and things of that kind. Unfortunately, the Export Inspection Council has allowed the self-inspections. When self-inspection takes place, some of the crooked exporters create the problem. Please look into this to see what you can do in this matter.

SHRI ARUN JAITLEY: Sir, I am very grateful to the hon. Member for the suggestion that he has made. Let me just inform the Member— he may be aware—that in his own home State, MPEDA, for marine products, has set up now laboratories which are common facilities available to our exporters. As a result of that wherever those pressures do come, the Government of India and MPEDA take it up with their foreign counterparts as a result of which as far as marine

prodcuts are concerned, we are today amongst the largest exporters of marine products to those countries which were earlier creating obstacles, such as the United States. Therefore, these are being taken up. We anticipate that there are certain interests there which want to put pressures even for anti-dumping action against us. And, we have been taking it up at all levels, including the highest political levels.

SC's observations on the Representation of the People Act

202. SHRI KARNENDU BHATTACHARJEE:

SHRI N. K. PREMACHANDRAN:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that some time back the Supreme Court of India has declared Section 33-B of the Representation of the People Act as unconstitutional;

(b) if so, the details thereof;

(c) whether Government have submitted/decided to submit a review petition in the matter to the court;

(d) if so, the details thereof and if not, the reasons therefor; and

(e) the other steps being taken to hasten the process of electoral reforms?

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY): (a) Yes, Sir.

(b) The Supreme Court in its judgement dated 13.3.2003 in Writ Petition (Civil) No. 490 of 2002 [People's Union for Civil Liberties (PUCL) and another *Vs.* Union of India and another] has held section 33B of the Representation of the People Act, 1951, inserted by the Representation of the People (Third Amendment) Act, 2002, violative of article 19(1)(a) of the Constitution.

The question was actually asked on the floor of the House by Shri Karnendu Bhattacharjee.